

APPENDIX A

Table of Contents

I.	INTRODUCTION	1
II.	BACKGROUND	3
A.	Direct Purchaser Class Plaintiffs allege the defendants violated federal antitrust law, imposing overcharges on the Direct Purchaser Class.	3
B.	The proposed Settlement comes after months of investigation and discovery into Par’s involvement in the alleged anticompetitive scheme, and arms-length settlement negotiations.....	3
C.	The proposed Direct Purchaser Settlement Class.	4
III.	ARGUMENT	5
A.	The Direct Purchaser Settlement Class should be certified for settlement purposes pursuant to Rule 23.	5
1.	The Direct Purchaser Settlement Class satisfies all Rule 23(a) requirements.....	6
a.	The widely dispersed Direct Purchaser Settlement Class members makes joinder impractical.	7
b.	The present case involves issues of law and fact that are common to the Direct Purchaser Settlement Class.	8
c.	Direct Purchaser Settlement Class’ claims are typical.	9
d.	There are no conflicts and Direct Purchaser Class counsel are experienced in complex antitrust class litigation.	10
(1)	Absence of conflict.	11
(2)	Qualifications of counsel	11
2.	The Direct Purchaser Settlement Class satisfies all Rule 23(b)(3) requirements.....	12
a.	Common questions of law or fact predominate over individual questions	13
(1)	Proof of antitrust violations uses predominantly common evidence.	14
(2)	Proof of antitrust impact uses predominantly common evidence.	15
(3)	Direct Purchaser Class Plaintiffs can calculate damages on an aggregate basis at the appropriate time.	19
b.	Class action treatment of the case is superior to other methods. ...	20

B.	The proposed Settlement meets the standard for preliminary approval.	21
1.	Fairness	23
2.	Adequacy	25
C.	The proposed form and manner of notice are appropriate.....	27
D.	The Court should appoint RG/2 Claims as settlement administrator.	28
E.	The proposed schedule is fair and should be approved.	28
F.	The Court should stay all proceedings against Par in the MDL until the Settlement is finally approved.....	29
IV.	CONCLUSION.....	30